

EXHIBIT 9

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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IN RE : 06-MD-1775(JG)

AIR CARGO SHIPPING :
SERVICES ANTITRUST : United States Courthouse
LITIGATION : Brooklyn, New York

:
:
: August 31, 2015
10:30 o'clock a.m.

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TRANSCRIPT OF ORAL ARGUMENT
BEFORE THE HONORABLE JOHN GLEESON
UNITED STATES DISTRICT JUDGE.

APPEARANCES:

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1 originating in New Zealand showed that there was a fuel
2 surcharge at or, at or higher than the announced rate. That
3 means that 30 percent of the airway bills for shipments out of
4 New Zealand were less than the fuel surcharge amount.

5 So, in turn, what that means is out of New Zealand,
6 Air New Zealand might have cheated on the conspiracy and
7 charged less than the fuel surcharge amount. There, the
8 report of Mr. Young infers that, in fact, a commission was
9 paid on those airway bills, but the evidence is far from clear
10 on that so I made a mistake or spoke in error.

11 So, we do not concede that commissions were paid on
12 those shipments out of New Zealand and if there were any, and
13 it's a debatable question, it was for a small percentage, but
14 it's equally likely that the fuel surcharge was just reduced.

15 That's all I need to say in rebuttal, Your Honor.

16 THE COURT: All right. Anyone else?

17 MR. LANDAU: No, Your Honor.

18 THE COURT: All right.

19 Well, first of all, thank you for your advocacy,
20 both in writing and orally. You travel in different circles
21 than the ones I travel in so you probably don't appreciate how
22 unusual it is to have such excellent lawyering so I am
23 grateful for it.

24 Some of these motions are not all, strictly
25 speaking, related to legal questions, but let me address these